

ator from Oregon was within his parliamentary rights. The Senator from Oregon is already aware of the fact that the Senator from Colorado is not very happy about the fact that the Senator from Oregon is exercising his rights.

I may say to the Senator from Colorado that I have more important things to do than to engage in personal exchanges with the Senator from Colorado.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MORSE. I do not yield, because the purpose of the inquiry of the Senator from Colorado is perfectly obvious, and I do not intend to clutter the CONGRESSIONAL RECORD with such a discussion. I refuse to yield.

Mr. ALLOTT. I may comment, in answer to the Senator from Oregon, that he is certainly perfectly aware of and willing to use the rules of the Senate, but he is also able to use the good graces of other persons.

Last evening he departed the Senate Chamber, and I asked the acting majority leader, the distinguished Senator from Montana [Mr. MANSFIELD], if a unanimous-consent request would be in order. The Senator from Montana said no; that he had promised the Senator from Oregon that he would protect him on unanimous-consent requests, because the Senator from Oregon had some personal matters he wanted to attend to. I wish the Senator from Oregon had been as considerate of the rights of other Senators.

Mr. MORSE. Mr. President, I simply want the RECORD to show that I went to the washroom on the occasion mentioned by the Senator from Colorado.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass? The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD] and the Senator from Missouri [Mr. HENNING] are absent on official business.

The Senator from Idaho [Mr. CHURCH] is absent on official business attending the Interparliamentary Union Conference at Warsaw, Poland.

The Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], and the Senator from Wyoming [Mr. O'MAHONEY] are absent because of illness.

On the vote, the Senator from Virginia [Mr. BYRD] is paired with the Senator from Indiana [Mr. HARTKE]. If present and voting, the Senator from Virginia would vote "nay," and the Senator from Indiana would vote "yea."

I further announce that, if present and voting, the Senator from Idaho [Mr. CHURCH], the Senator from Alaska [Mr. GRUENING], the Senator from Missouri

[Mr. HENNING], and the Senator from Wyoming [Mr. O'MAHONEY] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from South Dakota [Mr. CASE] is absent on official business, attending the Interparliamentary Union Conference at Warsaw, Poland.

The result was announced—yeas 86, nays 7, as follows:

## YEAS—86

Aiken	Goldwater	Mansfield
Allott	Gore	Martin
Anderson	Green	Monroney
Bartlett	Hart	Morse
Beall	Hayden	Morton
Bennett	Hickenlooper	Moss
Bible	Hill	Mundt
Bridges	Holland	Murray
Bush	Hruska	Muskie
Butler	Humphrey	Neuberger
Byrd, W. Va.	Jackson	Pastore
Cannon	Javits	Proity
Capehart	Johnson, Tex.	Froxmire
Carlson	Johnston, S.C.	Randolph
Carroll	Jordan	Robertson
Case, N.J.	Keating	Saltonstall
Chavez	Kefauver	Schoeppel
Clark	Kennedy	Scott
Cooper	Kerr	Smathers
Dirksen	Kuchel	Smith
Dodd	Langer	Sparkman
Douglas	Lausche	Symington
Dworshak	Long, Hawaii	Wiley
Ellender	Long, La.	Williams, N.J.
Engle	McCarthy	Williams, Del.
Ervin	McClellan	Yarborough
Fong	McGee	Young, N. Dak.
Frear	McNamara	Young, Ohio
Fulbright	Magnuson	

## NAYS—7

Cotton	Russell	Talmadge
Curtis	Stennis	Thurmond
Eastland		

## NOT VOTING—7

Byrd, Va.	Gruening	Henning
Case, S. Dak.	Hartke	O'Mahoney
Church		

So the bill (S. 2654) was passed.

Mr. JOHNSON of Texas. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. SPARKMAN. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

#### REDEFINING CITIZENSHIP QUALIFICATIONS FOR U.S. SHIPPING CORPORATIONS

Mr. JOHNSON of Texas. The minority leader has asked me whether I would outline as nearly as I could the program for the remainder of the day.

First, I shall move that the Senate proceed to the consideration of Calendar No. 734, House bill 6888. After that bill is made the pending business, I shall make a brief statement.

Mr. President, I now move that the Senate proceed to the consideration of Calendar No. 734, House bill 6888.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 6888) to amend section 4132 of the Revised Statutes, section 37 of the Merchant Marine Act, 1920, section 2 of the Shipping Act, 1916, and section 905(c) of the Merchant Marine Act, 1936, as amended.

Mr. JOHNSON of Texas. Mr. President, I think that the consideration of this bill will take only a minute. It was passed over during the call of the cal-

endar, because of a question which was desired to be asked of the Senator from California.

After acting on this bill, we shall proceed to the consideration of Calendar No. 933, Senate bill 1886, to amend the Communications Act of 1934 as regards community television systems. Objection was made to consideration of that bill during the call of the calendar. That objection has been withdrawn; and we think consideration of the bill will take only a few minutes.

Then we shall have the Senate consider the conference report on House bill 4002, to authorize the use of Great Lakes vessels on oceans. The Senator from California [Mr. ENGLE] will submit that report. There is some controversy about it, and we expect debate for approximately 15 or 20 minutes with the Senator from Delaware. Then we shall have a yea-and-nay vote on the question of agreeing to that conference report.

Then we shall proceed to consider the antipollution bill. We are informed that there will not be a great deal of debate on it.

Then we shall have completed our work for the day.

Mr. LAUSCHE. Mr. President, will the Senator from Texas yield?

Mr. JOHNSON of Texas. I yield.

Mr. LAUSCHE. Does the Senator from Texas expect there will be a yea-and-nay vote on the antipollution bill?

Mr. JOHNSON of Texas. Let me ask the Senator from New Mexico [Mr. CHAVEZ] and the Senator from Oklahoma [Mr. KERR] whether they expect to have a yea-and-nay vote taken on that bill.

Mr. CHAVEZ. I do not think it will be necessary.

Mr. JOHNSON of Texas. I would say "yes." At any rate, that bill is not now the pending business.

Mr. LAUSCHE. I wish to point out that I am not urging it.

Mr. JOHNSON of Texas. I understand.

Is the Senator from Delaware [Mr. WILLIAMS] in the Chamber?

Mr. SCOTT. Mr. President, I have spoken to the Senator from Delaware, and have agreed to make a statement which will be satisfactory to him.

Mr. JOHNSON of Texas. Very well; I yield to the Senator from Pennsylvania.

Mr. SCOTT. Mr. President, I understand that the Senator from California [Mr. ENGLE] will explain the bill.

Mr. President, I would prefer, if the majority leader has no objection, for the Senator from California to explain the bill. Then I should like to make certain comments. May I ask the Senator from California to explain the bill?

Mr. ENGLE. Mr. President, the purpose of the bill (H.R. 6888) is to resolve a difference of interpretation between the Federal Maritime Administration and the Bureau of Customs with respect to the term "citizen of the United States" as it is used in section 2 of the Shipping Act, 1916, and in the vessel documentation laws, by redefining the term.

The net effect of the amendments to the act which the bill embodies would be to include in the definition "citizen

of the United States" corporations, excepting those under title VI of the Merchant Marine Act of 1936, as amended, which meet the stock ownership requirements of section 2 of the Shipping Act of 1916, which are organized under the laws of the United States or of any State thereof, and which have some alien directors, but not so many as to make possible a lawful meeting of the board of directors without a majority of the directors present being citizens of the United States.

At the present time, if a corporation has one foreign director, that corporation cannot engage in financing American ships under our maritime laws. For instance, the Metropolitan Life Insurance Co. is considered ineligible for participating in financing of U.S.-flag vessels on mortgages or loans because it has an alien director, and therefore it could not have a preferred mortgage or be entitled to any control of a vessel by virtue of any default under a mortgage. The Metropolitan Life Insurance Co. has one Canadian director.

The amendment would provide that any of these corporations can have alien directors on their boards of directors provided the number is not sufficient so that the alien directors could be a majority of a quorum. In other words, the bill limits the number of alien directors to a minority. Let us assume that there were nine members of a board of directors. Five could go a quorum, and therefore only two could be foreign directors.

The purpose of that amendment, let me say to my friend from Pennsylvania and to my friend from Maryland as well, is to retain the basic ownership of these ships and their financing in American hands, but not to preclude a great financial institution like the Metropolitan Life Insurance Co. from having one or two alien directors, if the number of the foreign directors would not constitute more than a minority of a quorum. That is all there is to the amendment.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. ENGLE. I yield.

Mr. PASTORE. Last year Congress passed the so-called Bowaters bill which became Public Law 85-902. Public Law 902 expressly authorizes corporations which do not qualify as "citizens of the United States" to engage in the operation in the domestic trades of the United States of company-owned barges, and so forth, if certain specified standards are met.

The Senate report on H.R. 6888 emphasizes that "the question of ownership of corporations is not affected to the slightest degree by the provisions of the bill (H.R. 6888)."

May I ask if H.R. 6888 curtails in any way the authority granted to noncitizen corporations under Public Law 85-902, which applies only to barges and non-self-propelled vessels and self-propelled vessels of less than 500-gross tons? My question is, and I emphasize it by repetition, Will the ownership of such corporations be affected in the slightest degree by the provisions of this bill?

Mr. ENGLE. No. The question has been raised as to whether H.R. 6888

affects in any way Public Law 85-902, adopted by the last Congress. In the course of the hearings, this question was discussed, and it was found that H.R. 6888 in no way amends public Law 85-902. In other words, in order to establish clearly the legislative history of this act, I want to make the statement now that it was not the intention of the committee, by the passage of H.R. 6888, to affect the provisions of that previous law.

Mr. WILLIAMS of Delaware. Mr. President, in view of the answer of the Senator to the last question, he has cleared up the objection I had. I thank him for making the record.

Mr. SCOTT. Mr. President, I shall be very brief. The question of ownership of corporations is not affected to the slightest degree by the provisions of the bill. The modification of corporation citizenship requirements will not make possible noncitizenship control of vessels documented and operating under the U.S. flag, nor will it relax in any way the citizenship requirements applying to corporations operating under an operating-differential contract with the Federal Maritime Board.

As the Senator from California has said, if there are alien members on a board of directors, and if six, for example, constitute a quorum, the alien membership would be limited to a minority of a quorum, which would be no more than two.

Mr. ENGLE. The Senator is correct.

Mr. SCOTT. Therefore, I urge the passage of the bill.

The PRESIDING OFFICER. The question is on the third reading and passage of the bill.

The bill (H.R. 6888) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ENGLE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### AMENDMENT OF COMMUNICATIONS ACT OF 1934

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of order No. 933, S. 1886.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (S. 1886) to amend the Communications Act of 1934 with respect to community antenna television systems and certain rebroadcasting activities.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

Mr. FULBRIGHT. Mr. President, I do not wish to object, but I want to explain that in the exchange I had with the Senator from Rhode Island at the time this bill was called up, with regard to the minimum standards that will be required by the Federal Communications Commission, the Senate made quite clear the effect of the bill and the intention

of the committee. That clears up the objection I had to the bill. I have no objection.

Mr. PASTORE. Mr. President, I think much of the confusion would be eliminated if we corrected the title, and I therefore move that the title be amended to read "A bill to amend the Communications Act of 1934, with respect to certain rebroadcasting activities."

The PRESIDING OFFICER. Will the Senator withhold his motion until the bill is passed?

Mr. MANSTEDT. Mr. President, for the purpose of the RECORD, I should like to inquire whether it is the intention of the Committee on Interstate and Foreign Commerce, as soon as it is feasible, to bring up Calendar No. 950, Senate bill 2653, to amend the Communications Act of 1934 to establish jurisdiction in the Federal Communications Commission over community antenna systems.

Mr. PASTORE. Yes, within the limits of the time allotted in the situation in which we find ourselves.

Mr. President, I ask unanimous consent that an explanation of the bill may be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

#### EXPLANATION OF S. 1886, AMENDING THE COMMUNICATIONS ACT OF 1934 SO AS TO PERMIT CERTAIN REBROADCASTING ACTIVITIES

S. 1886, as amended, contains two sections, each affecting the so-called booster or rebroadcasting situation. One of the provisions would amend section 318 of the Communications Act so as to clarify the present statutory requirements concerning radio operators of equipment used in rebroadcast operations, and the other section would amend section 319 of the Communications Act so as to enable the Federal Communications Commission to consider licensing booster stations engaged in rebroadcasting programs if such boosters were constructed on or before the enactment of this bill.

It should be clearly understood that the Federal Communications Commission presently has adequate authority to adopt regulations authorizing booster operations. The Commission has had the question of adopting regulations for boosters under consideration for a number of years. On April 14 it announced that after its study of the various problems posed by the use of boosters in the VHF band that it believed that if it were to adopt regulations that certain minimum requirements should be imposed upon the operation of VHF boosters. Then it proceeded to recommend two amendments to the Communications Act that are being considered in this bill. The Chairman of the Federal Communications Commission, in his appearance before the committee, indicated that the Commission was holding up action with regard to regulations on VHF boosters until Congress enacted this legislation.

Basically, S. 1886, as amended, would amend two sections of the Communications Act:

(a) Under section 318 of the Communications Act the actual operation of transmitting equipment is licensed under the Communications Act and any operation thereof must be carried on only by persons holding operators' licenses issued by the Federal Communications Commission. At present the Commission is given discretion to waive that requirement for certain named activities. The FCC believes that it is enough for a licensed operator, particularly where booster equipment is concerned in smaller commu-

nities and in mountainous terrain, to turn the equipment on and have it operated under his general control without the need of his personal attendance. In order to accomplish this objective the Commission urges that section 318 be amended so as to remove the explicit requirement that transmitting equipment of boosters be operated by licensed operators. Section (1) of S. 1886 would grant this discretion to the Commission and limit the authority for waiving the operator requirements to those engaged solely in the function of rebroadcasting the signals of television broadcast stations.

(b) Under section II of S. 1886 section 319 of the Communications Act would be amended so as to enable the Federal Communications Commission to consider licensing booster stations engaged in rebroadcasting television programs if such stations were constructed on or before the enactment of this bill.

The FCC holds that under the present provisions of section 319 it would be unable to issue licenses to those boosters that are now on the air if those facilities had been constructed before the Commission granted licenses. Under this long standing construction of section 319 of the Communications Act the Commission contends it would be prohibited from authorizing the use of boosters if such boosters were constructed prior to the grant of a construction permit. Accordingly, under this legislation the Commission will be given the discretion, if it finds that the public interest, convenience and necessity will be served thereby, to waive the requirement of a construction permit for a booster that is engaged solely in rebroadcasting television signals if such booster was constructed on or before the enactment of this bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas to proceed to the consideration of the bill.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce, with an amendment, to strike out all after the enacting clause and insert:

That section 318 of the Communications Act of 1934 (47 U.S.C. 318) is amended by striking out "(3) stations engaged in broadcasting, and" and insert in lieu thereof the following: "(3) stations engaged in broadcasting (other than those engaged solely in the function of rebroadcasting the signals of television broadcast stations), and".

Sec. 2. Section 319(d) of the Communications Act of 1934 (47 U.S.C. 319(d)) is amended by inserting after the period at the end thereof the following: "If the Commission finds that the public interest, convenience, and necessity would be served thereby, it may waive the requirement of a permit for construction of a station that is engaged solely in rebroadcasting television signals if such station was constructed on or before the date of enactment of this Act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. ALLOTT. Mr. President, I should like to make an inquiry of the Senator from Rhode Island before the bill passes. I have just gotten a copy of the amendment. Will the Senator from Rhode Island inform me what it does?

Mr. PASTORE. Under the present provisions of section 318 of the Com-

munications Act the actual operation of all transmitting equipment in any station licensed under the act must be operated by persons holding an operator's license issued by the FCC. At present, the Commission is given discretion to waive that requirement except for certain named categories. In recent years the art of transmitting has advanced tremendously and the Commission believes that it should have greater statutory latitude as to the requirements of operators of transmitting equipment engaged in rebroadcasting.

For instance, at present the Commission contends that section 318 requires an operator to be in personal attendance whereas in those situations involving the booster operation the testimony before your committee establishes it is enough for the operator to turn the equipment on, have it operated under his general control, but not be in personal attendance. This is particularly true of the transmitters engaged solely in rebroadcasting such as the boosters in small communities in mountainous terrain, especially out West. It was felt that section 318 prohibits this type of an operation. The amendment herein reported would grant the FCC limited discretion in waiving the operator requirement to those engaged solely in the function of rebroadcasting the signals of television broadcasting stations.

The FCC's original request urged broad discretion which would have permitted the Commission to waive the radio operator requirement for regular broadcast stations as well as for boosters. Your committee feels this request was too broad and that the hearing record would not support such a proposal and therefore limited the discretion being granted to the Commission by the bill herein reported to those operations engaged solely in the function of rebroadcasting the signals of television broadcasting stations. In other words, the discretion to waive the explicit requirement concerning the operation of transmitting equipment in accordance with section 318 is being granted to the FCC, but it is limited to that equipment used in booster operations.

The second proposal contained in this bill as reported by your committee concerns section 319 of the Communications Act. Under the present provisions of section 319 the FCC holds that it would be unable to issue licenses to those boosters that are now on the air since those facilities were constructed before the Commission granted such facility licenses. Under the long-term provisions of section 319 of the act the Commission contends it would be prohibited from authorizing the use of boosters if such boosters were constructed prior to the grant of a construction permit. The bill would amend section 319 so as to give the FCC sufficient discretion, if it finds that the public interest, convenience, and necessity would be served thereby, to waive the requirement of a construction permit for a booster that is engaged solely in rebroadcasting television signals if such booster was constructed on or before the enactment of this legislation.

Mr. ALLOTT. I thank the Senator.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The bill (S. 1286) was passed.

The title was amended so as to read: "An act to amend the Communications Act of 1934, with respect to certain rebroadcasting activities."

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### MINUTE MAN NATIONAL HISTORICAL PARK, MASS.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 887, H.R. 5892.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 5892) to provide for the establishment of Minute Man National Historical Park in Massachusetts, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. SALTONSTALL. Mr. President, this bill has the support of my colleague from Massachusetts, and the support of Representatives McCormack and Rogers in the House. There is a unanimous report in favor of establishing the Minute Man National Park, which will make it possible for the national park to be established on the route which was taken in Massachusetts from Lexington to Concord at the time of the start of the War of the Revolution.

This is a good bill. It authorizes appropriations, when made.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. MORSE. I think it is a good bill, but I have one question regarding why there was objection to the bill earlier today.

Mr. SALTONSTALL. Mr. President, I cannot hear the Senator. Will the Senator please speak a little louder?

The PRESIDING OFFICER. The Senator will suspend. It has become almost impossible to conduct business in the Senate.

The Senate will be in order.

The Senator from Oregon may proceed.

Mr. MORSE. I think the bill is a good bill. I think the Record should show why there was objection to consideration of the bill earlier today, as well as the Senator's answer to the objection.

Mr. SALTONSTALL. There was really no objection to the bill today. The Consent Calendar committee felt the authorization in the bill exceeded the limit of authorization which should be passed on the call of the calendar. There was no objection filed, either from the Re-

publicans or the Democrats, as to considering the bill before the Senate.

Mr. MORSE. I think it is important to clear that up for the Record.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill (H.R. 5892) was ordered to a third reading, read the third time, and passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. ENGLE. Mr. President, I move to lay that motion on the table.

Mr. KERR. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### CONSTRUCTION OF SEWAGE TREATMENT WORKS

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 853, H.R. 3610.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 3610) to amend the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works and for other purposes.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

Mr. JOHNSON of Texas. If the Senator does not mind, I should like to have the motion acted on first.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. JOHNSON of Texas. Mr. President, the Senator from California desires to have a conference report considered. We would order the yeas and nays on the bill now, and then have the bill temporarily laid aside.

Mr. DIRKSEN. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

#### USE OF GREAT LAKES VESSELS ON OCEANS—CONFERENCE REPORT

Mr. JOHNSON of Texas. Mr. President, the Senator from California desires to present a conference report which we think will take not over 20 minutes to consider. We want to have a yeas-and-nay vote on the conference report.

If the Senator from Delaware will explain to me what he wants to have a yeas-and-nay vote on, we can have it ordered.

Mr. WILLIAMS of Delaware. Mr. President, under the parliamentary situation we would have to have a yeas-and-nay vote on the question of agreeing to the conference report. If the conference report is rejected, I shall offer a motion that new conferees be appointed with instructions to insist upon the Senate amendment.

Mr. JOHNSON of Texas. Mr. President, I ask for the yeas and nays on the

question of agreeing to the conference report.

The yeas and nays were ordered.

Mr. JOHNSON of Texas. I wish to notify all Senators that we expect to vote in approximately 20 minutes, if Senators can keep within their planned schedules.

Mr. LAUSCHE. Mr. President, will the Senator from Texas please repeat that statement?

Mr. JOHNSON of Texas. We hope to have a vote on the conference report in about 20 or 25 minutes, if Senators can keep within their estimated schedules.

Mr. LAUSCHE. I thank the Senator very much.

The PRESIDING OFFICER. The Senate will be in order, so that we may proceed with the business of the Senate expeditiously.

The Senator from California is recognized.

Mr. ENGLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 4002) to authorize the use of Great Lakes vessels on the oceans. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of August 24, 1959, p. 154446, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ENGLE. Mr. President, the House bill permitted vessels purchased from the United States for exclusive use on the Great Lakes—including the St. Lawrence River and Gulf—and their connecting waterways to be operated in any trades and any manner permitted other vessels documented under the laws of the United States notwithstanding the Merchant Ship Sales Act of 1946.

The Senate amendment, which struck all after the enacting clause, adopted provisions substantially the same as the House bill as title I and added as title II a prohibition against the issuance of any ticket or pass for free or reduced rate of transportation to any official or employee of the U.S. Government or any member of his family traveling on a ship sailing under the American flag in foreign commerce or in commerce between the United States and its territories or possessions, with certain exceptions. The Senate amendment provided a penalty for violation of title II.

In short, Mr. President, the House bill as it came to the Senate was a very limited bill, simply freeing these vessels which had been purchased for use on the Great Lakes so that they could go into ocean waters.

When the bill came to the floor of the Senate, after having been reported by the committee in the form passed by the House, there was added on the floor of the Senate an amendment offered by the Senator from Delaware to prohibit

the issuance of free or reduced rate transportation to officials or employees of the Federal Government. That was the bill which went to conference, with the added title, title II, in dispute.

The managers on the part of the House disagreed with title II of the Senate amendment on the grounds that it is not germane to the bill. Moreover, the proposed provision is both extremely broad and complicated in its scope. Its effect on existing law and existing procedures and practices within the various Government departments which would be affected is unknown. A bill (S. 1114) is presently pending before the Senate Interstate and Foreign Commerce Committee which is intended to cover the objectives of the amendment. A similar bill (H.R. 4945) is pending before the Committee on Merchant Marine and Fisheries in the House. Departmental reports on the House bill point to numerous difficulties which would arise if the bill were enacted as proposed by this Senate amendment. If the objectives of the amendment are desirable, they should be appropriately considered after full hearings to determine the need for corrective legislation.

As a consequence, Mr. President, the Senate conferees receded from the position of the Senate and accepted the bill as originally passed by the House. The bill presently before the Senate, in the conference report, is the bill passed by the House committee, passed by the House itself, and passed by the Senate committee; with the amendment which was added on the floor of the Senate as title II stricken from it.

Mr. DOUGLAS. Mr. President, will the Senator yield for a question?

Mr. ENGLE. I am glad to yield to the Senator from Illinois.

Mr. DOUGLAS. As I understand the situation, neither the House bill nor the Senate version contained any requirement that food commodities had to be shipped from Atlantic ports in American vessels.

Mr. ENGLE. It did not. It was a very simple bill.

Mr. DOUGLAS. Therefore, the attempt of the Atlantic coast cities to throttle the St. Lawrence Seaway is not encompassed in the bill. That attempt was turned back by the action of the Senate in rejecting the amendment of the Senator from Maryland [Mr. BURLER] Monday evening. No similar provision has been attached to this bill?

Mr. ENGLE. I will say to my distinguished friend from Illinois, that is not what was added on the Senate floor.

Mr. DOUGLAS. I understand. It is not an issue?

Mr. ENGLE. No; it is not.

Mr. DOUGLAS. Even if the conference report were to be rejected, the status of the St. Lawrence Seaway would not be affected.

Mr. ENGLE. The status of the St. Lawrence Seaway is not involved. The only question which is involved is whether these vessels, which were purchased from the United States for exclusive use on the Great Lakes, will now

and certain rebroadcasting activities was announced as next in order.

Mr. ENGLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MANSFIELD subsequently said: Mr. President, I desire to ask the Senator from Rhode Island [Mr. PASTORE] a question relative to Calendar No. 933, S. 1886, the bill to amend the Communications Act of 1934 with respect to community antenna television systems and certain rebroadcasting activities, which was introduced by the distinguished Senator from Utah [Mr. MOSS] and the distinguished senior Senator from Montana [Mr. MURRAY]. What has been the disposition of the bill?

Mr. PASTORE. So far as I know, it has been objected to by request. I think it is a bill which requires consideration as soon as the Senate can get to it. As a matter of fact, I should have thought the majority leader would give the bill some preference and call it up on motion.

Mr. MANSFIELD. Is there not a possibility that Calendar 950, S. 2653, a similar bill introduced by the distinguished Senator from Rhode Island [Mr. PASTORE] himself, could also be brought up at the same time, so that the various problems connected with the television industry in my own State of Montana, especially, and in the Rocky Mountain region generally, could be given the consideration which is their due, and to which the people of that area are entitled?

Mr. PASTORE. Originally, S. 1886 was introduced as an omnibus bill. We divided it into two bills, one to apply to the booster stations, in which I think the Senator from Montana is primarily interested. Then we reported as a separate bill the portion dealing with the so-called community antenna system which included consideration of S. 2303 dealing with the same subject. The booster bill is noncontroversial. I do not see how anyone could object to that. By this bill the Federal Communications Commission may grant licenses in cases where construction has already occurred. This is with reference to certain home-made booster stations to bring television reception where made difficult by the topography of the particular area.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. FULBRIGHT. The only question which has been raised was raised by me. I was requested to have the delay until the question could be resolved as to whether or not the bill requires the FCC to establish sound engineering standards to protect all other media of communications.

Mr. PASTORE. The Commission would be required to do so, but before they could act or would grant a license, they would have to make certain that there was conformance with certain standards and regulations which they themselves would promulgate.

Mr. FULBRIGHT. So as to prevent interference with other media of communications.

Mr. PASTORE. Naturally, if there was anything against the public interest or which created harmful interference, the Commission would not grant the license.

Mr. FULBRIGHT. The only reason I requested that the bill go over temporarily was so that we might establish the proper legislative history.

Mr. PASTORE. If that is the only objection, then we might simply call the bill up on motion and pass it, because, as I said before, it is a noncontroversial bill, so far as I know. But the other bill may be controversial.

I may say to the Senator from Montana that so far as the second bill is concerned, the bill having to do with community antenna systems, it could be controversial. I do not think it could be passed on the Consent Calendar.

Mr. MANSFIELD. But the Senator from Rhode Island and the other members of his committee are in favor of both bills, are they?

Mr. PASTORE. I am in favor of both bills.

Mr. MANSFIELD. Will the Senator and his committee do their best to get both bills before the Senate?

Mr. PASTORE. That is right. But I think we ought to pass the booster bill this afternoon.

Mr. MANSFIELD. I assume that with the leadership on both sides of the aisle concurring, and with the approval of the Senator from Arkansas, at the next call of the calendar, which may be tomorrow or the next day, at least one of the bills could be called up, and then the other could be called up at the earliest opportunity.

Mr. PASTORE. That is correct. I subscribe to that course of action.

#### PRESIDENT ADAMS PARKWAY

The bill (H.R. 7125) to provide for a study of the feasibility of establishing the President Adams Parkway was considered, ordered to a third reading, read the third time, and passed.

#### BILL PASSED OVER

The bill (S. 793) to amend Title 23 of the United States Code in order to increase the amount authorized for bridges over Federal dams was announced as next in order.

Mr. PROUTY. Mr. President, I ask that the bill go over, on the ground that it is not proper calendar business.

The PRESIDING OFFICER. The bill will be passed over.

#### CONVEYANCE OF CERTAIN LANDS AT THE JOHN DAY LOCK, OREGON

The bill (S. 2362) to authorize the Secretary of the Army to convey to the city of Arlington, Oreg., certain lands at the John Day lock and dam project was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That when-*

ever the Secretary of the Army determines that any land within the corporate limits of the city of Arlington, Oregon, acquired for construction of the John Day lock and dam as authorized by the River and Harbor Act of May 17, 1950 (64 Stat. 163, 167), is no longer required for project purposes, he is authorized and directed, subject to the further provisions of this Act, to convey to the city of Arlington all right, title, and interest of the United States therein.

Sec. 2. Any conveyances made pursuant to this Act shall be (A) at market value as determined by the Secretary of the Army in accordance with the formula set forth in section 3 of this Act; (B) upon terms and conditions determined by the said Secretary to be in the public interest; and (C) subject to reservations and restrictions determined by the said Secretary to be necessary for the development, maintenance, or operation of the John Day lock and dam project.

Sec. 3. The market value of any property conveyed under this Act shall be equal to the price for which the land was acquired by the United States, adjusted to reflect (A) any increase in the value thereof resulting from improvements placed thereon by the United States, excluding, however, any enhancement in value resulting from the construction of the John Day lock and dam; or (B) any decrease in the value thereof resulting from (1) any reservation, exception, restriction, or condition to which the conveyance is made subject; and (2) any damage to the land caused by the United States.

Sec. 4. The Secretary of the Army may delegate any authority conferred upon him by this Act to any officer or employee of the Department of the Army. Any such officer or employee shall exercise the authority so delegated under rules and regulations approved by the Secretary.

Sec. 5. The proceeds from any conveyance made under this Act shall be covered into the Treasury of the United States as miscellaneous receipts.

Sec. 6. This Act shall terminate six years after the date of its enactment.

Mr. MORSE. Mr. President, I ask unanimous consent that there be printed in the RECORD at this point a letter dated September 4, 1959, which I addressed to the distinguished Senator from New Mexico [Mr. CHAVEZ], chairman of the Committee on Public Works.

There being no objection the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 4, 1959.

HON. DENNIS CHAVEZ,  
Chairman, Senate Public Works Committee,  
Washington, D.C.

DEAR DENNIS: It is my understanding that the Senate Public Works Committee will soon have under consideration S. 2362, to authorize the Secretary of the Army to convey certain lands within the John Day lock and dam project to the city of Arlington, Oreg.

I am pleased to be a sponsor of S. 2362 because for several years I have been working closely with Arlington in its efforts to bring about an orderly and efficient relocation of an important section of the city. This relocation is necessary because within a few years the reservoir of the John Day Dam will inundate a sizable portion of the present city of Arlington.

After extensive consultations with the Corps of Engineers, the general plan of relocation, as proposed by Mayor Harford, received the approval of the Chief of Engineers, and discussions concerning implementation of the plan were then undertaken with the District Engineer in Walla Walla, Wash.



7, 1959, the terrible Roseburg disaster of August 7 might never have occurred. I say this in all sincerity because the very effective penalties applicable to common carriers instead of relatively minor penalties applicable to private and contract carriers would have had tremendous deterrent effects against the parking of the truck and its explosive contents unattended in the early hours of August 7. Had S. 1806 been on the statute books, the company shipping the explosives would have been subject to a potential maximum penalty of \$10,000 and possible maximum imprisonment of 10 years for its officials instead of a relatively nominal penalty.

It is imperative that no time be lost in enacting S. 1806 because every day and every night in numerous parts of the United States private and contract carrier trucks are carrying explosives capable of inflicting enormous injury, such as that which was inflicted in the Roseburg case, and are endangering the people in heavily populated communities.

I would be the first to concede that the enactment of S. 1806 and the more rigid safety requirements it involves, may cost shippers of explosives more money than they now spend in shipping by private and common carriers. However, when human lives and enormous property values are at stake, I am not for a moment impressed by the so-called increased cost argument. The few pennies of additional cost that will be involved in the shipment of each unit of explosives will, in my opinion, be far outweighed by the savings of lives and property in consequence of the more rigid safety requirements inherent in S. 1806.

Bearing in mind the intense and prolonged suffering of scores of human beings who were injured in the Roseburg disaster; the anguish of those who perished in this catastrophe, and the distress of the surviving relatives and friends of those whose lives were lost, I have no patience with those who suggest that S. 1806 would involve some additional cost to shippers and users of explosives. Nor am I impressed with the arguments of those who insist that passage of S. 1806 will put them out of business. When human lives are at stake, I intend to work for the preservation of those lives even though higher transportation costs may be involved. I hope we are not at the point in America where we are placing the existence of certain types of business above the value of human lives.

For the foregoing reasons, I feel that the passage of S. 1806 is a "must" for this session of the Congress. The people of Roseburg, Oregon, the State of Oregon and, indeed, the entire Nation will be grateful to you for everything you can do to bring about the early passage in committee and in the Senate of S. 1806, which is of such great importance to the protection of human life.

With appreciation and best personal regards,

Sincerely,

WAYNE MORSE.

Mr. MORSE. I point out to the Senate that a bill in practically the same form was passed by the Senate in 1957. At that time action was not taken in the House; but I believe that in view of the tragic event which occurred in Roseburg, Oreg., with regard to the explosion of the truck loaded with high explosives, with great loss of life and property, the chances are that the bill will quickly pass the House. At least, I hope the leadership of the House will give it immediate attention,

## INCLUSION OF CERTAIN NON-MINERAL LANDS IN PATENTS

The Senate proceeded to consider the bill (S. 2033) to amend the mining laws of the United States to provide for the inclusion of certain nonmineral lands in patents to placer claims, which had been reported from the Committee on Interior and Insular Affairs, with amendments, on page 1, line 7, after the word "is", to strike out "used or occupied" and insert "needed"; in line 10, after the word "claim", to insert "and is used or occupied by the proprietor for such purposes"; on page 2, line 5, after the word "exceed", to strike out "ten" and insert "five", and, in the same line, after the word "acres", to strike out "for each individual claimant,"; so as to make the bill read:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2337 of the Revised Statutes of the United States (30 U.S.C. 42) is amended (1) by adding "(a)" after "Sec. 2337.", and (2) by adding at the end thereof a new subsection as follows:*

*"(b) Where nonmineral land is needed by the proprietor of a placer claim for mining, milling, processing, beneficiation, or other operations in connection with such claim, and is used or occupied by the proprietor for such purposes, such land may be included in an application for a patent for such claim, and may be patented therewith subject to the same requirements as to survey and notice as are applicable to placers. No location made of such nonmineral land shall exceed five acres, and payment for the same shall be made at the rate applicable to placer claims which do not include a vein or lode."*

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

## COOPERATION IN HEALTH AND RESEARCH ACTIVITIES

The Senate proceeded to consider the resolution (S. Res. 129) favoring continued efforts by all nations to strengthen cooperation in health and research activities, which had been reported from the Committee on Foreign Relations, with amendments, on page 2, line 3, after the word "welfare", to insert "and"; in line 4, after the word "Foundation", to strike out "the National Academy of Sciences and National Research Council,"; on page 3, line 1, after the word "and", to strike out "such" and insert "in cooperation with", and in line 2, after the word "bodies", to insert "such as the National Academy of Sciences and the National Research Council"; so as to make the resolution read:

*Resolved, That it is the sense of the Senate that the President of the United States, acting through the Department of Health, Education, and Welfare, and the National Science Foundation, and in cooperation with other official and private bodies, such as the National Academy of Sciences and the National Research Council, as he deems appropriate, should (1) continue U.S. initiative*

*in seeking to strengthen international cooperation in health and research efforts and, in connection therewith, (2) invite the medical profession of the United States, and other professions and organizations concerned with the healing arts and the life sciences, to develop plans and programs in cooperation with the scientific community of other nations toward declaration and observance of an International Public Health and Medical Research Year.*

The amendments were agreed to.

The resolution, as amended, was agreed to.

The preamble was agreed to.

## BILL PASSED OVER

The bill (H.R. 8437) to provide for the reinstatement and validation of U.S. oil and gas lease BLM 028500, was announced as next in order.

Mr. ENGLE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

## COMPACT BETWEEN NEW YORK AND NEW JERSEY FOR CREATION OF TRANSPORTATION AGENCY

The Senate proceeded to consider the joint resolution (H.J. Res. 403) granting the consent of Congress to a compact entered into between the State of New York and the State of New Jersey for the creation of the New York-New Jersey Transportation Agency, which had been reported from the Committee on the Judiciary with amendments on page 19, after line 10, to strike out:

(b) The consent of Congress granted under this resolution shall terminate not later than June 30, 1961.

After line 12, to strike out:

(c) All "concurrent legislation" amending or supplementing this compact, as that term is defined and understood in the compact shall be submitted to Congress for its consent before such legislation becomes effective.

After line 16, to insert:

(b) Any long-range plan, when adopted by concurrent legislation of the compacting states, shall be submitted to Congress for its consent before such long-range plan becomes effective.

And, after line 20, to insert:

(c) Any concurrent legislation enacted by the compacting states amending or supplementing this compact shall be submitted to Congress for its consent before such legislation becomes effective, except that this subsection shall not apply to article 4.6 of this compact.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

The preamble was agreed to.

## BILL PASSED OVER

The bill (S. 1886) to amend the Communication Act of 1934 with respect to community antenna television systems